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(A) hybridizing at least one fragment among one or more fragments fixed on a substrate, which fragments are selected from the group consisting of one or more nucleic acid fragments and one or more PNA fragments and have all [or part] of a sequence of full-length gene, with at least one fragment of which mutation is to be assayed, wherein said fragment is selected from the group consisting of one or more nucleic acid fragments and one or more PNA fragments;

(D) treating a mismatched base pair occurring between the hybridized fragments with a substance specifically recognizing and cleaving the mismatched base pair to cut the hybridized fragments at the mismatched base pair, or to remove at least a part of one strand of the fragments hybridized from the mismatched base pair;

(E) labeling a fragment remained on the substrate after the cleavage or removal; and

(F) identifying the labeled fragment by detecting the label, thereby detecting a nucleic acid and/or PNA fragment having a mutation.

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28. (Twice Amended) An article comprising a substrate having a surface on which one or more kinds of nucleic acid or PNA fragments having [a part or] all of the sequence of a full-length gene are fixed in a hybridizable condition.

REMARKS

Entry of the foregoing and further and favorable reconsideration of the subject application pursuant to and consistent with 37 C.F.R. §1.112 is respectfully requested.

By the present amendment, claims 1, 9, and 28 have been amended to more precisely define the claimed invention. Specifically, the claims have been limited to methods and articles in which the nucleic acid and/or PNA fragments have all of the sequence of a full-length gene. These amendments derive support from throughout the specification and claims as originally filed. No new matter has been added.

Claim Rejections - 35 USC §103

Claims 1-8, 19-22, and 27-30 are rejected under 35 U.S.C. §103(a) as purportedly obvious over Gifford (U.S. Patent 5,750,335) in view of Chirikjian et al. (U.S. Patent